IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

WP(C).No. 20062 of 2007(L)

PETITIONER:

S.SHARMA RAJ, S/O SOMAN,
SHARMA BHAVAN, VATTAVILA,
POWDIKONAM, THIRUVANANTHAPURAM.

BY ADV. SRI.S.RAJASEKHARAN NAIR

RESPONDENTS:

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1. THE MANAGING DIRECTOR,
TRAVANCORE TITANIUM PRODUCTS LTD.,
KOCHUVELI, THIRUVANANTHAPURAM.

2. THE SECRETARY,
THE MUTTATHARA SERVICE CO-OPERATIVE BANK LTD.
NO.T.413, VALLAKKADAVU P.O.,
THIRUVANANTHAPURAM-8.

BY ADV. SRI.B.S.KRISHNAN(SR.)SC,TRAV.TITANIUM
SRI.K.ANAND (A.201)
SMT.LATHA KRISHNAN
R2 BY SRI.SUMAN CHAKRAVARTHY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C). NO.20062 OF 2007 L

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE NOTICE DATED 15.9.2006 ISSUED BY THE SECOND RESPONDENT.

EXT.P2 TRUE COPY OF PAY IN SLIP OF PETITIONER'S SALARY FOR THE MONTH OF NOVEMBER, 2006.

EXT.P3 TRUE COPY OF THE JUDGMENT IN W.P.(C). NO.15750/04.

RESPONDENTS' EXHIBITS: NIL.

// TRUE COPY//

PS TO JUDGE

K. M. JOSEPH, J.

W.P.C. NO. 20062 OF 2007 L

Dated this the 7th September, 2007

JUDGMENT

Petitioner is a Peon. He is faced with recovery proceedings on the basis that he was a Guarantor for the loan taken by one late Rajesh Kumar from the second respondent. Attachment is being made at the rate of Rs.2,000/= per month.

2. Heard the learned counsel appearing for the parties. Having regard to all facts, particularly that the petitioner is working as a Peon and also having regard to the submission that he has other liabilities, I order that the attachment to recover the amount due from the petitioner shall be limited to Rs.800/= per month. There will be a direction to the second respondent to communicate to the petitioner the total amount due from the petitioner in his capacity as Guarantor as aforesaid, within one month from the date of receipt of a copy of this Judgment.

The Writ Petition is disposed of as above.

K. M. JOSEPH, JUDGE

kbk.